

Miller & Rhoads

Some Things Needed During Horse Show Week

The Miller & Rhoads Store will be one of the most interesting places in the city to visit this week. The exhibition of new merchandise has never been equalled in the city.

Superb Stock of Evening Coats

Broadcloth in White, Gray, Baby Blue and Black. Elegantly trimmed—some good values in Gray and Black as low as \$18.50.

Covert Coats, All Wool

Two styles at this price—best values we've seen this fall, **\$10.00**
One style is collarless, three straps back and front, fitted back, imitation collar, fancy stitching.
The other style is in misses' sizes; wide straps back, front and sleeve; fly front; inlaid collar of velvet.
Both styles lined with satin.

Lace and Silk Lingerie Waists

For Evening Wear

Elaborately trimmed—beautiful specimens of fine work, that you'll have to see to appreciate. Price conveys no particular impression until you compare them with Waists offered elsewhere at the same figures.

\$5.00 \$7.50 \$8.50 \$10.00 Up to \$25.00

ALEXANDRIA CASE ON NEXT TUESDAY

Representatives of County and State Move to Quash Mr. Lamb's Motion.

DENY COURT'S JURISDICTION

Many Reasons Given for This Contention—Interesting Problem.

The very interesting case brought by Attorney John A. Lamb in the United States District Court on a writ of habeas corpus for the release of John C. Nelson and James La Fontaine, of Alexandria county, was before Judge Waddill yesterday and further steps were taken therein.

Mr. Lamb's contention is that Alexandria county, because of the alleged illegality of the acts of secession, is a part of the District of Columbia and not of Virginia, and that therefore his clients, now under arrest, are improperly and illegally held.

When the case was called yesterday Captain Crandall Mackey, Commonwealth's attorney of Alexandria county, and Attorney-General Anderson moved the court to quash the writ of habeas corpus, upon the ground that it has no jurisdiction in the case. The motion was set for hearing by the court at 4 o'clock next Tuesday.

Grounds Fully Set Out.

The grounds for the motion of the Commonwealth's attorney and Attorney-General, more specifically set out, are as follows:

First, That the territory embraced in said county is both, de facto and de jure, a part of the territory of the State of Virginia, and subject to her jurisdiction and dominion in like manner and to the same extent as are the other counties of the Commonwealth.

Second, That the question is a political one as to which the action and decision of the political departments of the government is final. The political departments of both governments have repeatedly recognized Alexandria county as an integral part of the Commonwealth of Virginia.

Third, That the territory embraced in said county is both, de facto and de jure, a part of the territory of the State of Virginia, and subject to her jurisdiction and dominion in like manner and to the same extent as are the other counties of the Commonwealth.

Fourth, That the petition upon which said writ was awarded sets up no ground under the Constitution and laws of the United States which authorizes the awarding of said writ by a judge or court of the United States.

Fifth, That it does not appear in said petition that either of the petitioners was in jail or in the custody of the sheriff of Alexandria county, or any deputy of said sheriff.

Sixth, That if the said petitioners have any grievance whatever, such as is alleged in their petition for said writ, their proper and lawful mode of procedure for redress and relief is by appeal to the courts of the State, and from the highest court of the State by writ of error.

LIKE A CHANGE?

Try

Grape-Nuts

The Scientific Food

Ready for instant serving.

New flavor and very fetching.

ONLY MANNING AND WILLIAMS

They Will Be Tried To-Day, But Other Election Cases Go Over.

DEMURRER IS THE CAUSE

Counsel for Culberson and Others Raised Complex Constitutional Questions: Judge Takes Time.

The cases of Messrs. A. B. Williams and Chris Manning, Jr., indicted for violation of the Barksdale pure election law, in connection with the city Democratic primary election, held in June last, will be called and probably tried in the Hustings Court to-day. It is understood that Mr. Manning will be represented by counsel, but that Mr. Williams will be his own lawyer and will content himself with making a plain statement to the court and to the jury of his actions which led to his indictment by the grand jury.

The cases against L. B. Culberson, Jackson Wise, Sam Goldstein, J. H. Beveridge, Peter Krug, J. W. Percival, and Robert Lee Syre, indicted by the same grand jury for frauds in the same election, will not be called to-day and may never be.

Crowd Disappointed.

The crowd that attended the opening of the Hustings Court yesterday morning expecting to hear the trial of Culberson and others, was disappointed. The judge, however, did not intend to hear the argument on technicalities. They were well entertained, for Mr. Smith was as usual interesting, as were also Mr. Sands, and Commonwealth's Attorney Richardson. The lawyers quoted law and decisions of the higher courts of Virginia and other States, world without end. The argument consumed an hour and a half and at its conclusion Judge Witt said the case was important and he would take time to consider the points raised. In the meantime the jury had been dismissed until this morning, and the members were not required to sit in the box any longer. The argument of counsel on law and authorities.

The Law in the Case.

The law under which Culberson, Wise, Goldstein, Beveridge, Krug, Percival and Syre are being prosecuted is embodied in an act approved January 11, 1901, which has been incorporated into Pollard's Code.

Its title is as follows: "An act to amend and re-enact chapter 10 of the Code of Virginia in reference to general and specific elections; when and where to be held; regulations for their conduct and government; compensation for services in election."

After going into great detail about general and special elections, the statute says: "No person shall vote at any legalized primary election for the nomination of any candidate for office unless he is at the time registered and qualified to vote at the next succeeding election."

In an act to amend and re-enact chapter 10 of the Code of Virginia in reference to general and specific elections, such elections shall be conducted by the judges and clerks, or other officers designated by the proper committee or other proper authority of any such party, and under such rules, regulations and requirements as may be prescribed in the plan adopted by such party.

"3. All laws intended to secure the regularity and purity of general and local elections and to prevent and punish any corrupt practices in connection therewith, and the penalties and punishments now or hereafter prescribed by law for such offenses, shall, so far as they may be applicable, apply to all primary elections, whether the same be held under any statute law of this State or under a plan provided by some political party."

Title Faulty.

Counsel claimed that the title of the above act under which the men were indicted, is fatally defective, in that it does not convey an adequate idea of the text of the act itself. Mr. Smith quoted section 62 of the Constitution, which says:

"No law shall embrace more than one object, which shall be expressed in its title; nor shall any law be revived or amended with reference to its title, but the act revived or the section amended shall be re-enacted and published at length."

Mr. Smith's demurrer to the indictments is based solely on the constitutional point thus raised, his objections being that the title embraces more than one object, and that one of the objects is not embodied in the act. Mr. Smith further showed that chapter 10 of the Code makes all the criminal laws pertaining to elections applicable to primaries, whereas the penalties for such offenses are prescribed in chapter 18. He said that the election law, as it appears to-day is decidedly incongruous, as the provisions pertaining to primaries were inserted in such a way as to mar its harmony.

The addition, he thinks, was made in haste and carelessly, and without careful regard for concord or consistency. At any rate, the title of the act gives absolutely no idea of the fact that the statute, in addition to general and special elections, also refers to primaries.

From a large pile of half-bound law books, Mr. Smith quoted decisions and laws to sustain his contention. He was followed by Mr. Sands, who quoted numerous authorities in support of the point made.

State's Attorney Replies.

Mr. Richardson, the Commonwealth's attorney, replied briefly. He said it was an elementary principle of law that every statute enacted by a Legislature is assumed to be in conformity with the constitution. As to the constitutional provision quoted by counsel for the accused, it contained the words "subject" instead of "object." The latter word, insisted Mr. Richardson, was

Jell-O Ice Cream Powder

2 Packages make a Gallon Cost 25 Cents

Can be made in 10 minutes, using time and money, and it's always good. Mocha, Vanilla, Strawberry, Four kinds: Vanilla, Chocolate, Strawberry and Unflavored.

If your grocer hasn't it, send his name and \$2.00 to and two packages of Jell-O Ice Cream Powder will be mailed you.

The Genesee Pure Food Co., Le Roy, N. Y.

stronger and more comprehensive, whereas the term "subject" was restrictive. Therefore the Virginia laws did not have precisely the constitutional dimensions as those pertaining to other States.

The Supreme Court of Virginia, has held, said Mr. Richardson, that a statute may pertain to several matters, provided its congruity and natural connection are preserved and provided the subject matter is congruous and germane. The law under discussion embodied only matter which was thus connected and the chapter of the code being discussed was just the place where one would go in quest of information concerning primaries. Mr. Richardson also had several volumes of "half bounds" and quoted liberally from the same to strengthen his points.

In a brief rejoinder Mr. Smith contended that the Supreme Court of Virginia has declared that words "object" and "subject" have in this connection the same meaning. He cited the case of *Tracy vs. Straus*, ninety-first Virginia, page 215.

Judge Witt will probably render his decision at this term of the court.

Other Courts.

In the Law and Equity Court a verdict and judgment were entered up against the P. T. Conrad-Bentley Company for \$78 in favor of the Union Envelope Company.

In the Chancery Court Florence E. Carr qualified as guardian for her infant children and gave the necessary bond.

Ellen T. O'Donnell qualified as administrator of the estate of Mary D. Tierney, and as guardian of the person of the infant children of Patrick and Mary D. Tierney, gave the required bond in both cases.

SCENES OF MERRIMENT.

Catholic Bazaar in Possession of Pretty Girls—Large Crowds.

The Cathedral bazaar and talk for the girls' school of St. Joseph's had possession yesterday. At St. Ann's table various beautiful articles have been raffled. Mrs. Phil Kelley has been especially lucky, having won a beautiful table and an elaborate centerpiece at the cathedral table. A new pillow of beaver skin, run with blue and white, has been raffled from Norfolk for St. Ann's table.

Mrs. Ernest Abbey won a centerpiece, a picture, a ham, Mr. Harvey Davis, a picture entitled "Rice House," and Mr. D. Baird, a picture entitled "Rice House." Mrs. Mary Booth, an oak desk and cherry rocker were also raffled.

At the Country Store the following girls are trading for dolls: Misses Sarah Slaughter, Florence Hyde, Kathleen Black, Regina Brannon, a beaver skin, a picture, a ham, Mr. Harvey Davis, a picture entitled "Rice House," and Mr. D. Baird, a picture entitled "Rice House."

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NEWS GATHERED FROM SOUTHSIDE

Methodist Congregation Is to Hold General Meeting on Night of Conference.

JOHN GLENN HAS TO PAY FINE

Mr. Martin Prevents Fire, Which Might Have Proved Disastrous.

Manchester Bureau, Times-Dispatch. On the Sunday night of the Methodist Conference is to be held in Danville, it has been decided to hold a meeting of all the Methodist congregations in Central Methodist Church. In a recent meeting of a number of prominent Methodist workers it was determined to have one member of each church in Manchester and Swansboro wait on the official members and pastor of each church and ask the permission and the co-operation for such meeting to be held. On the night of the general conference in Danville there will be no Methodist ministers in Manchester, and the meeting is to be led by a layman, to be determined upon later. The object of the meeting as professed is to have all the Methodists gathered together in pleasant intercourse and good fellowship. As the union, as it may be called, is for such a good and worthy purpose, there is little doubt that it will meet with the hearty accord that it so well deserves.

John Glenn is Fined.

John Glenn, the negro traveling with the circus which recently visited Manchester, was fined \$5 yesterday morning for hitting Lee Robinson, also colored, over the head with a tent pin on Saturday morning while the circus men were putting up the tent. The injury inflicted upon Robinson was not of a sufficient seriousness to warrant sending the case on to the grand jury, so the case ended with the decision of the Magistrate.

Mr. William T. Herrington, superintendent of the circus, recommended Glenn as one of his best and most trusted employees, and took upon himself to pay the fine. The circus left at 2 o'clock yesterday for Ashland.

Prevents Fire.

Imminent danger of a conflagration threatened the home of Mrs. R. C. Broadus, Jr. Mrs. Broadus was in the act of putting her little child to bed when the lighted candle in the room fell in her hands, fell to the floor and took fire. An explosion was imminent, but with rare presence of mind, Mrs. Broadus summoned Mr. John Martin, her brother, who was in the next room. He responded as quickly as possible, and with a blanket extinguished the blaze.

Personals and Briefs.

Miss Addie Lee Markham, who has been visiting her father, at No. 17 East Seventeenth Street, has returned to her home in Chesterfield county.

It is said that Mr. John G. Rice, of Tenth and Decatur Streets, has accepted a position in Washington.

Mr. W. A. Osmore, the janitor of the public school, is very ill at the home of his sister.

Timothy Clarke, who was fined \$10 in the Mayor's Court recently, and who went to jail in default, was released yesterday morning, having paid his fine and secured a bondsman. He is under a \$100 bond to keep the peace.

HISTORICAL SOCIETY.

October Meeting of Executive Committee—Relics Received.

The October meeting of the Executive Committee of the Society was held at the Society's house on Saturday night. Present: President McCabe (in the chair), and Messrs. Broome, Patterson, Clark, Young, Mitchell, Valentine, James and Stannard. Among the gifts received in the past month were two bound volumes of the *Old Northwest*, presented by Mrs. Margaret C. Hodge, of Germantown, Pa. Mrs. Hodge is a daughter of the late Colonel Edward Crenshaw, of Richmond. Also a canvas tubular-shaped traveling trunk of the type used more than a hundred years ago, presented by Mr. W. L. Shepard, of Richmond.

From Mr. R. B. Munford, a number of famous old hotel bills, one dated in 1818, having an engraving of the United States Hotel, Richmond. From Captain John F. Mayer, Richmond, a lot of valuable Confederate bills of various denominations. From Mr. E. B. Royster, of Norfolk, a collection of military buttons, British and American, chiefly of the date of the Revolution, dug up at Fort Nelson, Norfolk. The Society is constantly increasing its collection of relics of wearing apparel, furniture, etc., is frequently drawn on by publishers of histories and other works for the purpose of illustration.

Among the books and pamphlets received were: Joyce Junior, and the Names of the Cemetery, by J. P. 1909; by Albert Mathews (presented by the author); Democracy in the South Before the Civil War, by Professor S. W. Dyer, New York, 1908 (presented by the author); Journal of a General Convention of the Protestant Episcopal Church, 1784; and Dialogues of the Fathers, 1774, presented by Mr. R. B. Munford.

The East Anglian, Notes and Queries, Norfolk, Eng., June, 1905; publication of the Norfolk and Norwich Genealogical Society, the Bunker Hill Association, the Huguenot Society of London, the Southern History Association, the New York Public Library, the Old Northwest Genealogical Society, the Texas State Historical Association, John Hopkins University, Studies: American Civil War, by J. P. 1909; the North Carolina Booklet, the English Historical Heraldica and Genealogica, the American Historical Review, by Joseph Barry, Martinsburg, 1903; A Statistical View of the Commerce of the United States, 1820; Quaker Friends in the Old North, by J. P. 1909; Lynchburg, 1907; The Woods-McAfee Memorial; Confession of Faith or the Constitution of the Federal Republic, by the United States, Philadelphia, 1838, and numerous pamphlets, etc.

The following new members were elected: Mr. B. W. Cunningham, California; Messrs. Jesse H. Williamson, Indiana, and D. Taylor Good.

The thanks of the Society were directed to be tendered to Mr. Stevens for a gift of money to be added to the permanent fund.

Mr. Valentine led to a discussion which resulted in the first outline of the plan to encourage investigation in the country south of the Potomac, among the students of the large universities and colleges of the State. Messrs. Valentine, McCabe and James offered to furnish the financial aid needed, and the plan, when further elaborated at future meetings, will be published.

Making Fine Records.

The night educational classes at the Central Young Men's Christian Association are making fine records. Last night the Boiler Builders' Study Club organized and will meet regularly.

THE CABLE COMPANY PIANOS

Two million dollars guarantee the reliability of The Cable Company's line of Pianos.

If the Piano Is a Favorite With the Public There Must Be a Reason.

Therefore in selecting a piano always have the reasons explained in order that you may determine for yourself whether "the reason why" is sufficient to justify your spending three or four hundred dollars for this or that piano. Now The Cable Company does claim a superior line of instruments, and not only does it claim, but it is prepared and does advance good, sound business logic to support its claims, so that you do not deal in theory, but upon the fundamental principles of fact as applied to modern business practice.

The Cable Line of Pianos

(Synonymous to perfect piano)

Mason & Hamlin. Conover, Cable. Kingsbury, Wellington, DeKoven.

have proven their superiority in many ways—note: Selection over all competition for Richmond public schools. Additional order for new pianos from Richmond public schools. Favored by 75 per cent. of the musical instructors of Richmond. More sold in Richmond in past five years than all others. These are a few of the reasons. There are many more equally convincing.

DEEP RUN HOUNDS KILL OLD RED FOX

Ran Him Seventeen and a Half Hours Without a Check.

The English hounds that make up the pack of the Deep Run hounds are the heroes of the hour in Albemarle county and the country around Gordonsville, and all because a careless negro boy forgot to couple them when he took them out for exercise.

The pack, fourteen in number, which reached Richmond this morning, has been summering at "Springfield," the Albemarle county home of Mr. Wilbur Osborne. A negro boy, who is kennel man for the pack, on Saturday took the hounds out for exercise, and while trotting slowly along the road, saw "Modest" suddenly stop and throw up his head. One long note from "the lady" brought the pack to her, and away the fourteen hounds went, despite the violent protest of "Charlie," the negro lad, for a great red fox had been scented and the pack would not be denied. It was 9 o'clock in the morning when Reynard was gotten up and went speeding away toward Peter's Mountain, and it was not until 2:30 o'clock in the afternoon that he left that rugged mountain going for Walnut Mountain, just back of "Castle Hill." The Deep Run pack had been joined by many other hounds, and when the good red fox was driven down Walnut Mountain at 5:30 o'clock to the level country below, fully forty hounds were in the running.

Set a Swift Pace.

The pace was so swift that the hound after hound dropped out until only one of all the Deep Run pack were left to follow across the lower end of Albemarle county into Louisa county, where the river was crossed three times.

Night came on, but the chase continued and "Charlie" following as best he could caught up by a happy "cut across," and brought up the three hounds of the Deep Run pack that had dropped out.

It was only a matter of time when the red fox would be rolled in the dust, but his stout heart kept him going until 2:30 o'clock in the morning when "Link-boy" ran into him at Green Springs in Louisa county, and it was all over but the shouting. "Charlie" was on the spot when "the kill" was accomplished and secured the brush of the hardest running fox that was ever chased in the Gordonsville country. Hounds had followed without a check for seventeen one-half hours, and had killed in the open. When asked about the work of the pack, "Charlie" said that the American hounds that had joined in were faster in the underbrush country than the English hounds ran away from them in the open, and were the only ones in at the death.

If view of the approaching Grafton-Middleburg Hunt, and the work of the American and English hounds on last Saturday is full of interest to all sportsmen.

Struck Woman With Rock.

Will Taylor, a negro, was arrested by the police of the First District last night upon a warrant charging him with striking with a rock one Mark Booker. He is also charged with feloniously striking a small boy, and Justice Crutchfield will hear both charges this morning.

John Chapman, for hitting with an ax Perry Wilkerson, will appear in Police Court this morning. Both parties are negroes.

John Harris and Andrew Booker, two negro women, were arrested last night and locked up at the Second Station on the charge of feloniously assaulting John Magee. They are alleged to have beaten the man unmercifully, and to have taken him to the hospital.

Mrs. Thomas Not Locked Up.

Mrs. Marie Thomas, whose husband had been arrested in Richmond last week upon a charge of breaking into his trunk in Norfolk, returned to the city yesterday and emphatically denied the printed statement that she had been locked up in Norfolk pending an investigation of the charge against her. Mrs. Thomas was dismissed by the justice in Norfolk, her husband not appearing against her at the preliminary trial.

She was formerly of Richmond and will remain having decided to leave her husband for good and all. Mrs. Thomas said that she would enter suit for divorce within a few days. She has accepted a position in the city and will go to work to-day.

Revival Services in Progress.

Rev. W. A. Laughon presided at the meeting of the Methodist clergy yesterday morning. The following churches reported Sunday school "Daily Day": Fairmount Avenue, Broad Street and Aubrey Place.

Revival services are being conducted at Trinity, Grace, Elm Street, Fairmount Avenue, Barton Heights and Park Place.

A special feature of the Methodist Mission in the dispensary. The patients are attended by four physicians free of charge. Mr. G. H. Wiley reports gratifying improvement in the Sunday school of the mission.

Choral Society Rehearses.

The Richmond Choral Society, the new musical organization under the direction of Dr. W. H. McClellan, met at 8:15 last night for rehearsal in the Sunday-school room of the First Presbyterian Church.

To Examine Pharmacists.

The State Board of Pharmacy will hold this morning at 9 o'clock for the purpose of examining students who desire to practice pharmacy in the State. The meeting will be at the University College of Medicine, and President James L. Alvis, of Harrisonburg, will preside.

Free! Free!

A guest-room size cake of Cashmere Bouquet Soap Free with a box of Colgate's Dental Powder. We wish to call your attention to the fact that we have in stock a complete line of Colgate's Toilet Preparations.

L. Wagner Drug Co. The Toilet and Perfumery Druggist, SIXTH AND BROAD STREETS. Open All Night.

Appointed Chief Surgeon.

(Special to The Times-Dispatch.) DRISTOL, TENN., Oct. 9.—Dr. E. Talmage West, chief surgeon of the National Soldiers' Home at Johnson City, Tenn., has been appointed chief surgeon of the National Soldiers' Home at Johnson City, Tenn., for the rank of major. Dr. West had been the acting chief surgeon since the resignation of Frank Robinson last year. Dr. West received his medical education in Baltimore.

LIKE A CHANGE?